

Attorney Docket No.: J6886(C)
Serial No.: 10/828,906
Filed: April 21, 2004
Confirmation No.: 5655

REMARKS

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

The Board of Appeals and Interferences on February 1, 2010 affirmed the Examiner's rejection of the claims. The rejection and affirmation was based upon interpretation of the unsaturated organic material as being a fragrance component. U.S. Patent 5,965,518 (Nakatsu et al.) was cited as revealing amongst many fragrance components, one that was a conjugated olefin. Yet this reference discloses no organic material that is both conjugated and also a non-fragrant substance.

In this RCE application, applicant has amended the claims to specify that the unsaturated organic material refers to conjugated linoleic acids. Support is found in the specification at page 5, paragraph [00012] and in the comparative experiments under Example 8 at pages 26-28. Further, applicant herewith submits a Declaration by Dr. Michael Aronson confirming that conjugated linoleic acids (CLA) lack any fragrant quality. Furthermore, the Declaration notes that CLA are readily oxidized to form malodor products which can actually produce a rancid odor, the antithesis of a fragrance material.

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Applicant herewith requests the Examiner to consider the foregoing amendment,
Declaration and comments in the next Office Action.

Respectfully submitted,

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